

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RAMON J. SAPP,

No. C 13-04673 YGR (PR)

Plaintiff,

ORDER OF DISMISSAL

v.

BUREAU OF ALCOHOL, TOBACCO,
FIREARMS AND EXPLOSIVES, et al.,

Defendants.

This action was opened in error when the Court received from Plaintiff two identical civil rights complaint forms in separate envelopes that were intended to be filed in a single action. Two different actions (this action and Case No. C 13-4549 YGR (PR)) were opened, although only one action should have been opened. Plaintiff has also filed a completed *in forma pauperis* ("IFP") application in the instant action.

Accordingly, this action is DISMISSED because it was opened in error. The Clerk of the Court is directed to remove Plaintiff's civil rights complaint form (Docket No. 1) and IFP application (Docket No. 4) from this action, to file them in his previously-filed action (Case No. C 13-4549 YGR (PR)), and to docket them as "Duplicate Copy of Complaint" and "Motion for Leave to Proceed *In Forma Pauperis*," respectively. The Clerk is further directed to mark them as filed on the dates they were received by the Court: October 8, 2013 and November 15, 2013, respectively. The Court will review Plaintiff's complaint and his IFP application in a separate written Order in Case No. C 13-4549 YGR (PR).

Plaintiff's motion for leave to proceed IFP (Docket No. 4) is TERMINATED as no longer pending in the instant action. No filing fee is due. The Clerk shall close the file.

IT IS SO ORDERED.

DATED: December 2, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE